

Twenty - Twenty Investigations

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March 21, 2000

Secretary
Federal Trade Commission
Room H-159, 600 Pennsylvania Ave. N.W.
Washington, D.C. 20580

RE: Gramm-Leach-Bliley Act Privacy Rule
16 CFR Part 313-Comment

Gentlepeople:

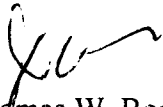
I am writing to express my concern with the proposed regulations to implement Title V of the Gramm-Leach-Bliley Act of 1999. As a long-time licensed private investigator and small businessman, I will lose a valuable and very necessary source of locating witnesses, defendants and potential defendants if the words "non-public personal information" are interpreted by your agency to include simple names and addresses of customers of financial institutions.

It appears quite clear to me that the obvious intent of Congress in passing the act was to provide an opportunity for customers of financial institutions to "opt-out" of sharing their personal financial information with non-affiliates of the institutions. The act provides protection for financial information -- not mere names and addresses. If all information available to a financial institution is defined as "non-public personal information", then conversely, what is "public personal information"? Congress seemed to be offering a distinction by describing financial information. The most plausible and logical interpretation of the Act is that it provides opt-out privileges for information regarding credit history, employment and financial assets. But name, address and phone number should not be classified as "non-public".

Private investigators play an important role in our civil and criminal justice system. That role is frequently misunderstood by most people. The information we obtain regarding addresses and phone numbers is essential to our conduct of business and fulfilling our obligations to consumers who are seeking legal redress for wrongs they have suffered. We utilize this information to investigate alleged crimes and tortious conduct and to locate debtors (including delinquent child support debtors), and to serve legal process to name just a few of the proper uses of public information.

It has been my very certain experience that the decade of the nineties spawned more liars, scam artists, and shirkers of responsibility than our country has ever suffered before. To allow such people further lawful anonymity will only benefit them as wrongdoers while placing a greater and more expensive burden on the law-abiding general public. Therefore, I urge you to exclude from your definition of non-public personal information the simple, basic information of name, address and phone number. To do otherwise would be to misinterpret the intent of Congress and to abet the exploiters of our legal system.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. W. Borden', with a stylized flourish at the end.

Thomas W. Borden
TWB:jb